

FEBRUARY 25, 1835.

Read twice, and committed to a Committee of the Whole House on the state of the Union.

Mr. BURGESS, from the select committee to which the subject had been referred, reported the following bill :

## A BILL

For the relief of the officers and soldiers who served in the Rhode Island brigade in the revolutionary war, their heirs and personal representatives.

1       *Be it enacted by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled, That*  
3       the claims made for depreciation by the officers and soldiers  
4       of the Rhode Island brigade, their heirs and representatives,  
5       as the same were made to, and ascertained by, a committee  
6       appointed by the Legislature of that State, at the February  
7       session thereof, Anno Domini seventeen hundred and eighty-  
8       four, the report whereof was received by that Legislature,  
9       at their October session, Anno Domini seventeen hundred  
10      and eighty-five, be allowed and settled, and the same are  
11      hereby ordered and directed to be allowed and settled, ac-  
12      cording to the principles established by resolves of the con-  
13      tinental Congress, by an ordinance of the same Congress made  
14      and passed on the seventh day of May, Anno Domini seven-  
15      teen hundred and eighty-seven, and according to the princi-

16 ples of a law passed by the Congress of the United States,  
 17 and approved the fifth of August, seventeen hundred and  
 18 ninety. And, for the purpose of settling the same, a commis-  
 19 sioner shall be appointed by the President of the United  
 20 States, by and with the advice and consent of the Senate,  
 21 who may appoint one or more clerks; and said commissioner  
 22 and such clerks shall receive the same pay for their services,  
 23 respectively, as was received by the same officers appointed  
 24 under the law aforesaid of the fifth of August, seventeen hun-  
 25 dred and ninety.

1       SEC. 2. *And be it further enacted,* That said commis-  
 2 sioner shall receive, as the basis of said claims, the report of  
 3 the committee appointed as aforesaid by the Legislature of  
 4 Rhode Island, which is in form and substance as follows, viz.

5       STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,

6       *In General Assembly, October Session, A. D. 1785.*

7       Whereas the committee who were appointed to adjust the  
 8 accounts of the regiment late under the command of Colonel  
 9 Archibald Crary, for the depreciation of their wages and al-  
 10 lowances, presented to this Assembly a state of the accounts,  
 11 and reported that there is due to the said regiment the sum  
 12 of twenty thousand nine hundred and thirty-one pounds eight  
 13 shillings and ten pence, lawful money; and the same being  
 14 duly considered,

15       It is voted and resolved, That the said report be accepted,

16 and that it be, and hereby is, recommended to Mr. Edward  
 17 Chinn, the commissioner in this State for settling the accounts  
 18 against the United States, to allow the same, and to give the  
 19 necessary certificates to the individuals of the said regiment  
 20 for the sums due to them, respectively.

21 True copy of record. Witness :

22 HENRY BOWEN, Secretary.

23 Whereas the committee who were appointed to adjust the  
 24 accounts of the regiment lately commanded by Colonel Ro-  
 25 bert Elliott, for the depreciation of their wages and allow-  
 26 ances, presented to this Assembly a state of the accounts, and  
 27 reported that there is due to the said regiment the sum of  
 28 twenty thousand eight hundred and twenty-one pounds nine-  
 29 teen shillings and five pence, lawful money ; and the same  
 30 being duly considered,

31 It is voted and resolved, That the said report be accepted,  
 32 and that it be, and hereby is, recommended to Mr. Edward  
 33 Chinn, the commissioner in this State for settling the accounts  
 34 against the United States, to allow the same, and to issue the  
 35 necessary certificates to the individuals of the said regiment  
 36 for the sums due to them, respectively.

37 True copy of record. Witness :

38 HENRY BOWEN, Secretary.

39 Whereas the committee who were appointed to adjust the  
 40 accounts of the regiment late under the command of Colonel

41 John Topham, for the depreciation of their wages and allow-  
42 ances, presented to this Assembly a state of the accounts,  
43 and reported that there is due to the said regiment the sum  
44 of twenty-two thousand eight hundred and two pounds nine-  
45 teen shillings and seven pence, lawful money ; and the same  
46 being duly considered,

47 It is voted and resolved, That the said report be accepted,  
48 and that it be, and hereby is, recommended to Mr. Edward  
49 Chinn, the commissioner in this State for settling the accounts  
50 against the United States, to allow the same, and to issue the  
51 necessary certificates to the individuals of the said regiment  
52 for the sums due to them, respectively.

53 True copy of record. Witness :

54 HENRY BOWEN, Secretary.

55 And the said commissioner shall receive and admit the ac-  
56 ceptance of the reports aforesaid, in the case of each regi-  
57 ment, and the officers and men thereof, made by the Legisla-  
58 ture of said State, in manner and form as above stated, as such  
59 an allowance thereof as was required by the ordinance and  
60 laws aforesaid, to enable said State to make a charge thereof  
61 to the United States ; and the amount found due for depreci-  
62 ation in each individual case by the report aforesaid, summed  
63 up and added together as they are therein, shall be admitted  
64 by said commissioner as a charge against the United States  
65 by the State of Rhode Island, and by him be allowed as so

66 much due to said State in behalf of and to the use of the offi-  
67 cers and men of said brigade, their heirs and representatives  
68 *Provided, nevertheless,* That the said commissioner shall have  
69 power to revise, and it shall be his duty to revise, the report  
70 aforesaid in each individual case, in relation to the duration  
71 of service done, the amount of pay to be received, the amount  
72 of paper currency received in payment, and the value thereof  
73 in specie at the times when received, according to the scale  
74 of depreciation established by the continental Congress, and  
75 thereby to correct all errors, if any there be, in said report.

1       SEC. 3. *And be it further enacted,* That the said commis-  
2 sioner shall, after revising said report as aforesaid, and as-  
3 certaining the amount due to each individual of said brigade,  
4 make out a certificate of the amount due to him, his heirs,  
5 or personal representatives, on the day to which said report  
6 was made up by the committee aforesaid; which certificate  
7 shall be of a like tenor with the certificates made to all those  
8 to whom arrearages of pay were due for military services in  
9 the revolutionary war, but shall not be payable to bearer;  
10 and said commissioner, having signed the same, shall deliver  
11 each of them to the General Treasurer of the State of Rhode  
12 Island, to and for the use of each individual in whose behalf  
13 such certificates shall be made. And said commissioner and  
14 said treasurer shall each make out his account, debiting the

15 United States and crediting the State of Rhode Island, as the  
16 agent for and in behalf of each individual aforesaid, to his use,  
17 with each and the whole of said certificates. And these two  
18 accounts, so made up, shall be delivered to the Secretary of  
19 the Treasury of the United States, copies thereof having  
20 first been made and delivered to the General Treasurer of  
21 the State of Rhode Island and Providence Plantations, to be  
22 kept in the archives of the State for the benefit of all  
23 concerned in said claims. And thereupon, the Secretary of  
24 the Treasury shall issue certificates in favor of each of the  
25 individuals aforesaid, for the several amounts due to each of  
26 them on the certificates aforesaid of said commissioner, in  
27 the same manner, calculating, in all respects, according to  
28 the principles of the funding system, as if said claims had  
29 been allowed by the commissioners under the law of the  
30 fifth of August, seventeen hundred and ninety, and then  
31 funded in favor of the State aforesaid, allowing no interest  
32 on any dividend after the same was payable, whether the  
33 same were for principal or interest, or for the six or the three  
34 per centum portions due on said certificates, according to the  
35 provisions of said system. And the said certificates shall be  
36 signed by the Secretary, and countersigned by the Comptroller of the Treasury, made payable to the persons to  
37 whom the certificates aforesaid, of said commissioner, were  
38 payable, or to their order. They shall have an interest of  
39

40 five per centum per annum, be redeemable at the pleasure of  
41 the United States, and receivable in payment for any lands  
42 afterwards sold by the United States at public or private sale.  
43 And the certificates made and executed as aforesaid, shall be  
44 delivered to the General Treasurer of the State of Rhode  
45 Island, &c., in behalf of the several claimants, and of said State  
46 as their agent and trustee, in full discharge of the claims  
47 aforesaid of the officers and soldiers of said brigade, their  
48 heirs or administrators.

1        *SEC. 4. And be it further enacted,* That no person shall  
2 be entitled to have his claim allowed by said commissioner as  
3 one of the persons who served in that brigade, until he make  
4 satisfactory proof thereof before the district court of the Rhode  
5 Island district, by such evidence as on principles of law and  
6 equity shall be satisfactory to said court, both as to his ser-  
7 vice and identity. Nor shall any person claim as aforesaid  
8 as heir of any such person as aforesaid, until he has proved,  
9 in like manner, that the person under whom he claims did so  
10 serve, and that he is in truth the heir of such person. And  
11 no person shall, as administrator, make his proof in court un-  
12 til he shall make proof of his appointment as such, according  
13 to the laws of Rhode Island, nor make his claim before said  
14 commissioner until he shall have made proof as aforesaid of  
15 the service, and death, or of the legal presumption thereof, of  
16 the person whom he represents. And the parties applying

17 to said court shall pay, as entries of their cases, the smallest  
 18 amount paid in other courts in said State, as a compensation  
 19 for the extra service of said court, and such clerk's fees as  
 20 are paid in other cases in said court. And the district judge  
 21 of said district is hereby authorized and empowered to hear,  
 22 try, and adjudicate all such cases as aforesaid as may be  
 23 brought before him, under such rules and regulations as he  
 24 may establish, and to open and hold his court therefor when  
 25 and where he may adjudge most convenient, within said dis-  
 26 trict, for the same, and for all concerned. And the district  
 27 judge of said district shall have power to issue commissions,  
 28 and shall issue commissions, to take all depositions not taken  
 29 by or before himself, to be used in said court on the trial of  
 30 any of the questions arising on any of the cases aforesaid.

1        SEC. 5. *And be it further enacted;* That any person who  
 2 shall make, or cause to be made, or shall knowingly use, or  
 3 cause to be used, any counterfeited paper in any such trial,  
 4 either before said court or commissioner, shall be, upon legal  
 5 conviction thereof, adjudged to be guilty of forgery, and shall  
 6 be punished accordingly. And any person who shall swear,  
 7 affirm, or depose, under oath or affirmation, to any thing as  
 8 a truth which he knows not to be a truth, knowing that the  
 9 same is intended to be used on any trial as aforesaid, shall,  
 10 upon legal conviction thereof, be punished as for wilful and  
 11 corrupt perjury.



1        SEC. 6. *And be it further enacted,* That the powers of  
2 the commissioner to be appointed under this act shall con-  
3 tinue for and during the term of eighteen months after the  
4 passage thereof. And it shall be his duty to hold his sessions  
5 at Providence, in the State of Rhode Island, and to give no-  
6 tice in one newspaper printed in each of the New England  
7 States, and in Albany, of the time and place of holding his  
8 sessions, and the examination of the claims aforesaid ; and all  
9 persons who shall not exhibit, prove, and obtain the allow-  
10 ance of his claims, in manner as aforesaid, during that time,  
11 shall forever thereafter be excluded from all right to take  
12 any benefit under this act, or any other law, ordinance, or re-  
13 solve of the Congress of the United States, or of the conti-  
14 nental Congress. And the expenses incidental to the execu-  
15 tion of the commission under this act shall be paid out of the  
16 Treasury, out of any money therein not otherwise appro-  
17 priated.